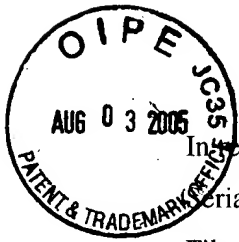


ATTORNEY DOCKET NUMBER
062891.0639

PATENT APPLN. NO.
09/918,206

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor Application of: William Patrick Hann et al.
Serial No.: 09/918,206
Filed: July 30, 2001
Group No.: 2664
Examiner: Brenda H. Pham
For: RECEIVE AND TRANSMIT BLOCKS FOR
ASYNCHRONOUS TRANSFER MODE (ATM) CELL
DELINEATION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION (37 C.F.R. §1.321 (c)) AND
CERTIFICATE UNDER 37 C.F.R. §3.73 (b)**

I, Mallun Yen, Worldwide Patent Counsel of Cisco Technology, Inc., 225 W. Tasman Drive, San Jose, California 95134, represent that Cisco Technology, Inc. is the assignee and the exclusive owner of the entire right, title and interest of, in and to application Serial No. 09/918,206 filed on July 30, 2001, for *Receive and Transmit Blocks for Asynchronous Transfer Mode (ATM) Cell Delineation*, as indicated by the attached Assignment from the inventors to Cisco Technology, Inc., and certify that to the best of assignee's knowledge and belief, title is in the assignee seeking to take action; and that I am empowered to act on behalf of assignee.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. Furthermore, I declare

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that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

Cisco Technology, Inc. hereby disclaims the terminal part of any patent granted on the above-identified application, that would extend beyond the expiration date of U.S. Patent No. 6,269,096 granted July 31, 2001, also assigned to and owned by said Cisco Technology, Inc. as indicated by the Assignment Records of the U.S. Patent and Trademark Office at Reel 9557, Frame 0282, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,269,096, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Petitioner, however, does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term of the above-referenced U.S. Patent No. 6,269,096, in the event that one or more of the following occurs: U.S. Patent No. 6,269,096 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The \$130.00 fee required by 37 C.F.R. 1.20(d) is submitted herewith and believed to be correct. However, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment of fees to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

Respectfully submitted,



Mallun Yen, Managing Director,
Worldwide Intellectual Property

8/1/2005
Date

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062891.0228

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ASSIGNMENT

WHEREAS, We, the undersigned inventors of residence as listed, have invented certain new and useful improvements as below entitled, for which application for United States Letters Patent is made, said application having been executed on the date set forth below; and

WHEREAS, Cisco Technology, Inc. (hereinafter referred to as "Assignee"), a California Corporation, with an address of 170 West Tasman Drive, San Jose, California 95134, desires to acquire our entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we assign to Assignee, all right, title and interest in and to said invention and in and to said application and all patents which may be granted therefor, and all provisionals, divisions, reissues, continuations, continuations-in-part and extensions thereof; and we authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as my interest is concerned, to Assignee.

We also assign to Assignee, all right, title and interest in and to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world, including all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and we further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such right, title and interest in Assignee.

We will communicate to Assignee any facts known to us respecting any improvements; and, at the expense of Assignee, we will testify in any legal proceedings, sign all lawful

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papers, execute all design, provisional, divisional, continuation, continuation-in-part, reissue and substitute applications, make lawful oaths and declarations, and generally do everything possible to vest title in Assignee and to aid Assignee to obtain and enforce proper protection for said invention in all countries.

This Assignment shall be binding on the parties' successors, assigns and legal representatives.

Title of Invention: **RECEIVE AND TRANSMIT BLOCKS FOR
ASYNCHRONOUS TRANSFER MODE (ATM) CELL
DELINEATION**

Signature of First Inventor:
Inventor's Name:


William Patrick Hann

Residence (City, County, State)

Round Rock (Williamson
County), Texas

Date:

8/24/98

Date Application Executed:

August 14, 1998

Signature of Second Inventor
Inventor's Name:


Craig D. Botkin

Residence (City, County, State)

Cedar Park (Travis County),
Texas

Date:

8/24/98

Date Application Executed:

August 14, 1998